

Application Number: 10/764,797
Amendment Dated: July 12, 2010
Reply to Office Action of: April 14, 2010

REMARKS

No claims are added. Claims 4 and 24 are canceled. Claims 1, 14 and 25 are amended.

The Office Action maintains the claim rejections as obvious over Overbeek (US 2002/011522) in view of Pinnavaia (US 6410473), and in some cases, in further view of additional references.

Examiner Interview

Applicant's undersigned counsel presented the claim amendment to Examiner Wartalowicz in an Examiner Interview on June 8, 2010. Examiner Wartalowicz indicated that (1) he would likely not enter the amendment prior to Applicant filing a Request for Continued Examination, and (2) if properly supported by the specification, the amendment would likely overcome the rejection over Overbeek and additional references. Applicant and Applicant's counsel thank Examiner Wartalowicz for his time and consideration.

Each of Examples 1-7 within the Specification teaches a method wherein a mixture of a *nonaqueous* source of an inorganic oxide is combined with an organic complexing and pore forming agent, as now recited in step (a) of independent claims 1, 14 and 25. See, for example, paragraphs 43, 49, 53 and 60. Consequently, addition of the term "nonaqueous" to claims 1, 14 and 25 does not constitute new matter.

Conclusion

In view of the foregoing amendment to the claims, the claims are in condition for allowance. Applicant respectfully requests withdrawal of the rejection and passing of the pending claims to issue.

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Applicant includes an electronic payment to cover the fee for a Request for Continued Examination and believes that no additional fee is due at this time. The Commissioner is hereby authorized and requested to charge any deficiency or credit any overpayment to USPTO Deposit Account No. 16-2563.

Respectfully submitted,
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